In re Application of: Eli NHAISSI et al
Serial No.: 09/744,102
Filed: March 16, 2001
Office Action Mailing Date: May 28, 2008

Examiner: Akintola, Olabode
Group Art Unit: 3691
Attorney Docket: 35814

REMARKS

This amendment is in response to the Office Action dated May 28, 2008. Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 131-134, 180-203 are currently pending in this Application Claims 131, 133, 134, 180-181, 183-185, 192-194 and 201 have been rejected under 35 U.S.C. *§* 102. Claims 182, 186-188 and 195-196 have been rejected under 35 U.S.C. § 103. Claim 203 is new.

Interview summary

First, Applicant's counsel wants to thank the Examiner for the courtesy of having the phone interview on July 9, 2008 (hereinafter:" the interview"). During the interview, the Applicant argued that there was no *prima facie* case for anticipation or obviousness in the cited references. The Examiner suggested that the Applicant summarize his arguments in writing. The Applicant's arguments are provided in the *Amendments to the Claims* section below.

Furthermore, during the interview, the Examiner agreed to issue a non-final action or allowance if the claimed invention is found patentable over the cited references.

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Amendments to the Claims

35 U.S.C. § 102 Rejections

The Examiner rejected claims 131, 133, 134, 180-181, 183-185, 192-194 and 201 under 35 USC 102(e) as being anticipated over U.S. Patent 5,745,556 of Ronen (hereinafter: *Ronen*).

In the Office Action dated May 28, 2008, the Examiner argues that *Ronen* discloses a method of Internet billing having the limitations as recited in previously presented claim 131.

In the claimed invention, tracking the *access to a plurality of Internet sites via a cost server* allows *generating a debit* that *accumulates charges at a different rate for each said accessed site,* see previously presented claim 131. In a distinct contrast to the claimed invention, *Ronen* does not teach or imply tracking that provides or allows generating a debit that accumulates charges at a different rate for different accessed sites.

In *Ronen*, the user is required to place a virtual billing call for accessing a website:

> *"In accordance with the billing arrangement of the invention described herein, once the ISP receives the 900 number call from a user and associates that telephone call with a waiting request for service on the Internet, the requested information and/or service to the user's terminal can be provided. If the billing mechanism is arranged so that the 900 number call connection needs to remain intact during the user's access to the ISP, billing for the 900 will be based on the duration of the connection. Alternatively, to conserve use of the telephone network, the 900 number call can be terminated once the association with the Internet request is made, and the user can be*

given a predetermined session time with the ISP or a predetermined number of "pages"

...

In accordance with the present invention, billing for the information and/or services provided to a user by an ISP on the Internet (or other data network) is effected by a real or virtual separate phone call placed by the user on the telephone network to a 900 telephone number subscribed to by the ISP for these billing purposes. As used herein, "900 number", "900 telephone number", or "900 number service" refers to any type of telephone service in which the called party sets the rate for calls placed thereto by any calling party and then receives the revenues therefrom.", see column 5, lines 4-40 of Ronen.

As *Ronen billing mechanism* is based on a calling times and rates, it cannot be configured for tracking the actual access of the user to websites in a manner that allows generating a debit that accumulates charges at a different rate for different accessed sites, as disclosed in the claimed invention. Generating a debit according to call rates and times requires assigning a different number and a respective rate to each website and tracking the related calls and their lengths. Such a complicated process is not described in *Ronen* and substantially different from the solution that is described in previously presented claim 131.

Furthermore, Claim 131 includes another distinguishing feature in which internet accesses are performed via a cost server; see Figure 1 of the present application. The cost server allows the user computer to access a plurality of billable internet sites without requiring additional actions beyond selecting a URL. *Ronen* does not teach or imply a cost server or any network node that is used for allowing user computer to access websites without requiring additional actions beyond selecting a URL by a user. *Ronen* does not teach how a user computer can access websites without requiring additional actions beyond selecting a URL. In contrary, as described

above, *Ronen* requires from the user to establish a phone call on a telephone network before accessing any billable content, see column 5, lines 4-24 of *Ronen*. It should be noted that as *Ronen* requires from the user to perform a phone call, it actually teaches away from the claimed invention, as the phone call is an additional action beyond selecting a URL.

Based on the above, Applicant asserts that the previously presented claim 131 is novel as not being anticipated by *Ronen* and that dependent claims 131, 133, 134, 180-181, 183-185, 192-194 and 201 are consequently allowable as being dependent on an allowable main claim.

35 U.S.C. § 103 Rejections

The Examiner rejected claims 132, 190, 191, 197, 198, 199 and 202 under 35 USC 103(a) as being unpatentable over *Ronen* in view of U.S. Patent 5,819,092 of Ferguson et al (hereinafter: *Ferguson*).

As described above, Applicant asserts that previously presented claim 131 is an allowable main claim. Thus, dependent claims 132, 190, 191, 197, 198, 199 and 202 are consequently allowable as being dependent on an allowable main claim.

The Examiner rejected claim 200 under 35 USC 103(a) as being unpatentable over *Ronen* in view of US Patent No. 6,292,551 to *Entman* et al. As described above, Applicant asserts that previously presented claim 131 is an allowable main claim. Thus, dependent claim 200 is consequently allowable as being dependent on an allowable main claim.

The Examiner rejected claim 189 under 35 USC 103(a) as being unpatentable over *Ronen* in view of US Patent No. 5,644,724 to *Cretzler* (hereinafter:

"Cretzler"). As described above, Applicant asserts that previously presented claim 131 is an allowable main claim. Thus, dependent claim 189 is consequently allowable as being dependent on an allowable main claim.

All of the issues raised by the Examiner have been dealt with. In view of the foregoing, it is submitted that claims 131-134, 180-203 which are now pending in the application, are allowable over the cited reference.

Respectfully submitted,

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Date: September 25, 2008

Enclosed:
Petition for Extension (One Month);
Additional Claim Transmittal.